

Applicant requests authority to deliver the sales volumes to Crown Zellerbach at a proposed point of interconnection between the facilities of Applicant and Crown Zellerbach in Marion County, Mississippi. Applicant also requests authorization to construct and operate a tap, measurement and regulating facilities, and appurtenant facilities necessary for deliveries to Crown Zellerbach.

Applicant proposes to sell the gas to Crown Zellerbach at an initial price of \$3.92405. Applicant states that this price will be redetermined to reflect changes in Applicant's Rate Schedule OCD-1 when calculated at a 100 percent load factor, but would never be less than the higher of Applicant's system average load factor rate or its average Section 102 of the Natural Gas Policy Act of 1978 gas acquisition cost. Applicant states that it would forego the crediting of revenues from the proposed sale and would include a representative level of sales to Crown Zellerbach in determining its rates in its next general rate proceeding.

Applicant estimates the cost of the proposed facilities to be \$140,810 which would be financed initially by short-term financing and/or cash from current operations, pending permanent financing.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 27, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the

certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-32718 Filed 12-7-83; 8:45 am]  
**BILLING CODE 6717-01-M**

### Office of Hearing and Appeals

#### Objection to Proposed Remedial Order Filed; Period of October 24 through November 4, 1983

During the period of October 24 through November 4, 1983, the notice of objection to proposed remedial order listed in the Appendix to this Notice was filed with the Office of Hearing and Appeals of the Department of Energy.

Any person who wishes to participate in the proceeding the Department of Energy will conduct concerning the proposed remedial order described in the Appendix to this Notice must file a request to participate pursuant to 10 CFR 205.194 within 20 days after publication of the Notice. The Office of Hearing and Appeals will then determine those persons who may participate on an active basis in the proceeding and will prepare an official service list, which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown.

All requests to participate in this proceeding should be filed with the Office of Hearing and Appeals, Department of Energy, Washington, D.C. 20585.

Dated: November 30, 1983.

**Thomas O. Mann,**  
*Acting Director, Office of Hearings and Appeals.*

*Texas International Co., Texas International Petroleum Corp. Oklahoma City, OK, HRO-0199, Crude Oil*

On October 31, 1983, Texas International Co. and Texas International Petroleum Corp. (TIPCO), 3545 Northwest 58th Street, Oklahoma City, Oklahoma 73112, filed a Notice of Objection to a Proposed Remedial Order which the DOE Office of Special Counsel (OSC) issued to the firms on September 16, 1983. In the PRO, the OSC found that during the period October 1973 through December 31, 1975, Texas International and TIPCO committed violations of 6 CFR 150.34 and 10 CFR 210.32,

210.54, 210.62(c), 212.73, 212.74 in their pricing of crude oil. According to PRO, the Texas International and TIPCO violations resulted in \$2,916,630.48 of overcharges.

[FR Doc. 83-32676 Filed 12-7-83; 8:45 am]  
**BILLING CODE 6450-01-M**

### ENVIRONMENTAL PROTECTION AGENCY

[WH-FRL-2483-8]

#### Modification of General NPDES Permit for Oil and Gas Operations on the Outer Continental Shelf (OCS) Off Southern California

**AGENCY:** Environmental Protection Agency (EPA), Region 9.

**ACTION:** Notice of final modification of general NPDES permit.

**SUMMARY:** On February 18, 1982, the Regional Administrator, Region 9, Environmental Protection Agency, issued a general National Pollutant Discharge Elimination System (NPDES) permit (No. CA0110516) authorizing discharges from offshore oil and gas facilities operating in Federal waters off Southern California (47 FR 7312). On January 3, 1983 (48 FR 76), EPA proposed to modify this permit to include as authorized discharge sites the tracts which were leased in two recent Minerals Management Service, (MMS) lease sales: Lease Sale #68 held on June 2, 1982 and Reoffering Sale #2 (Southern California area) held on August 5, 1982. The new parcels are in the same geographic area as existing parcels, and oil and gas facilities which would operate on these parcels would involve the same types of operations, discharge the same types of wastes, and require the same effluent limitations, operating conditions, and monitoring requirements.

Therefore, EPA concluded these facilities would be more appropriately controlled under the general permit (No. CA0110516) than under individual permits or a separate general NPDES permit.

After reviewing the administrative record for the proposed modification including comments submitted at a public hearing held in Santa Barbara, CA on August 11, 1983, EPA has determined to modify the general permit as proposed (48 FR 76). EPA's responses to comments submitted concerning the proposed modification are found in Appendix A published elsewhere in the Notices section of this issue. The following lease parcels are hereby added to general NPDES permit No. CA0110516 as authorized discharge sites

(by OCS lease parcel number): P-0456, P-0457, P-0459, P-0460, P-0461, P-0462, P-0463, P-0464, P-0465, P-0467, P-0468, P-0469, P-0472, P-0473, P-0474, P-0475, P-0478, P-0479, P-0480, P-0481, P-0482, P-0483, P-0484, P-0485, P-0486, P-0487, P-0488, P-0489, P-0490, P-0491, P-0492, P-0493, P-0494, P-0495, P-0496, P-0497, P-0498, P-0499, P-0500.

EPA has made two changes in the permit regarding CZMA requirements. These changes apply only to facilities commencing operation after the date of this notice. The California Coastal Commission has determined that NPDES activities within 1000 meters of the territorial seas may affect the State's coastal zone. As such, this area is distinct from the rest of the general permit area and EPA is today deleting this area from coverage under the general permit for new operations. Individual permits will be required for all new operations within this area. Condition III.A of the general permit authorizes EPA to require an individual permit for any operation where new information demonstrates that the terms and conditions of the general permit are not appropriate. This condition is intended to include any operation for which the California Coastal Commission has denied consistency concurrence on the facility's exploration or development plan. Accordingly, EPA has changed Condition II.B.8 of the permit to require a consistency determination for any new operation within the revised general permit area and submittal of Coastal Commission concurrence with the determination to EPA prior to operation under the general permit.

Condition II.B.8 is modified to read as follows: "State Coastal Zone Management Plan Consistency. Discharge from drilling vessels, production platforms or other facilities engaged in exploratory drilling or production of oil and gas is prohibited until the plan of exploration or development, for each affected parcel, is determined to be consistent with the Coastal Zone Management Plan by the Coastal Commission of the State of California and the consistency concurrence of the Coastal Commission is submitted to EPA. This provision applies only to facilities commencing operation after the date of this notice."

**FOR FURTHER INFORMATION CONTACT:**

Eugene Bromley, Region 9, Environmental Protection Agency, 215 Fremont Street, San Francisco, CA 94105. [Telephone (415) 974-8330.]

**SUPPLEMENTARY INFORMATION:** General NPDES permit No. CA0110516 authorizes discharges from offshore oil

and gas facilities operating on currently active lease parcels in Federal waters offshore Southern California. These parcels were leased in Lease Sales #53, #48, #35 and the 1966 and 1968 Federal lease sales. Twenty-nine additional tracts were leased by Minerals Management Service (MMS) of the Department of Interior in the recent Lease Sale #68. These tracts are (by OCS lease parcel number): P-0456, P-0457, P-0459, P-0460, P-0461, P-0462, P-0463, P-0464, P-0465, P-0467, P-0468, P-0469, P-0472, P-0473, P-0474, P-0475, P-0478, P-0479, P-0480, P-0481, P-0482, P-0483, P-0484, P-0485, P-0486, P-0487, P-0488, P-0489, P-0490. Ten additional tracts were leased in Reoffering Sale #2, Southern California area. The numbers of these parcels are (by OCS lease parcel number): P-0491 through P-0500, inclusive. EPA has modified the geographic area covered by the general permit to include authorization to discharge on the tracts awarded in these two lease sales.

The fact sheet accompanying the issuance of the general permit set forth the principal facts and the significant factual, legal, and policy questions considered in the development of the terms and conditions of the permit.

As discussed below EPA believes that these terms and conditions are also appropriate for discharge occurring on the new lease parcels.

**1. Geographical Coverage of the General Permit**

Section I of the fact sheet discussed the basis for the geographic coverage of the general permit. The Consolidated Permit Regulations provide that the Director of an NPDES permit program modify a NPDES permit upon receipt of any information which indicates substantial additions to permitted activities after final permit issuance (40 CFR 122.62(a)). New lease sales conducted by the MMS authorizing offshore oil and gas activities in the same geographic area covered by a final general NPDES permit are cause for permit modification.

This final modification is a change in the geographic area only and extends authorization to discharge from oil and gas operations to parcels adjacent or nearly adjacent to those already covered by the general NPDES permit. In accordance with 40 CFR 122.22, the effluent limitations, operating conditions and monitoring requirements of the general permit remain the same. Under certain circumstances outlined in Part III.A of the general permit, and individual NPDES permit may be required by the Regional Administrator.

**2. 403 Ocean Discharge Criteria**

Section 403 of the Clean Water Act requires that an NPDES permit for a discharge into marine waters be issued in compliance with EPA's guidelines for determining the degradation of marine waters. The Agency's finding under the guidelines were presented in Part III.F. of the general permit fact sheet.

The new parcels are in the same vicinity as the existing parcels and EPA believes that the previous conclusion concerning Ocean Discharge Criteria for the existing parcels are valid for the new parcels as well.

The special effluent limitations and operating conditions imposed on drilling muds and cuttings and on produced waters in the general permit should provide adequate protection of the marine environment and not adversely affect marine species or marine communities beyond the immediate area of the discharge.

**3. Consistency With California Coastal Zone Management Program**

The Coastal Zone Management Act (CZMA) and its implementing regulations (15 CFR Part 930) require that any Federally licensed activity affecting the coastal zone of a State with an approved Coastal Zone Management Program (CZMP) be determined to be consistent with the CZMP. This final modification of the general permit will not authorize discharges into the territorial seas of the State of California, nor into any body of water landward of the inner boundary of the territorial seas or any wetland adjacent to such waters. The CZMA requires review of exploration and development plans for consistency with the California Coastal Zone Management Plan and, therefore, the permit contains a provision (Condition II.B.8) requiring CZMP consistency review prior to authorization to discharge. This provision requires that operations under the general permit may not be conducted until the plan of exploration or development has been certified to the Coastal Commission of the State of California as consistent with their CZMP and has been concurred upon by that Commission.

As discussed earlier in this notice, CZMA requirements of the modified permit are different in two respects from the original general permit issued in February, 1982. The California Coastal Commission has determined that NPDES activities within 1000 meters of the territorial seas may affect the State's coastal zone. As such, this area is distinct from the rest of the general

permit area and EPA is deleting this area from coverage under the general permit for new operators. Individual permits are required for all new operations within this area. Also, EPA is changing Condition II.B.8 of the permit to require a consistency determination on a facility's exploration or development plan for any new operation within the revised general permit area and submittal of Coastal Commission concurrence with the determination to EPA prior to operation under the general permit. The new requirements are applicable only to facilities commencing operations after the date of this notice.

The Endangered Species Act requires that each Federal Agency ensure that any of their actions, such as permit issuance, do not jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of their habitats. The MMS has undertaken endangered species reviews including full consultation with the Department of Commerce, the National Marine Fisheries Service and the Department of the Interior's Fish and Wildlife Service, with respect to all oil and gas leasing in the general permit area. Prior to issuance of the general permit EPA concluded that the discharges authorized by the general permit would neither jeopardize the continued existence of any endangered or threatened species nor adversely affect its critical habitat. Both the National Marine Fisheries Service and the U.S. Fish and Wildlife Service concurred with this conclusion.

The proposed modification extends the authorization to discharge to parcels nearby to those on which discharges are currently authorized and within the general area in which the endangered species reviews were conducted. EPA believes that the previous conclusion regarding effects on endangered species is applicable to the new parcels included in this final modification.

#### 5. Economic Impact (Executive Order 12291)

The Office of Management and Budget (OMB) has exempted this action from the review requirement of Executive Order 12291 pursuant to Section 8(b) of that order.

#### 6. Paperwork Reduction Act

EPA has reviewed the requirements imposed on regulated facilities in this permit modification under the Paperwork Reduction Act (PRA). The information collection requirements of this permit have been approved by OMB under submissions made for the NPDES

permit program under the provisions of the CWA.

#### 7. Regulatory Flexibility Act

After review of the facts presented in the notice printed above, I hereby certify, pursuant to the provisions of 5 U.S.C. § 605(b), that this permit modification will not have a significant impact on a substantial number of small entities. Moreover, it reduces a significant administrative burden on regulated sources.

#### 8. Effective Date

The final NPDES general permit modification issued today is effective immediately. Ordinarily, EPA would issue this permit modification and allow 30 days before making the modification effective. However, EPA may, under 5 U.S.C. Section 553(d)(1) make the modification effective immediately because it relieves a restriction on the regulated community by authorizing the discharge of pollutants in compliance with its terms. Without a permit, discharges of pollutants are prohibited under Section 301 of the Clean Water Act. Moreover, because the thirty day period between the date of issuance and the date of effectiveness is provided to afford administrative appeal, a procedure which is not available for general permits, no purpose is served by delaying the effective date.

Dated: November 22, 1983.

John Wise,  
Acting Regional Administrator.

(FR Doc. 83-32570 Filed 12-7-83; 8:45 am)  
BILLING CODE 6560-50-M

#### [WH-FRL-2484-2]

#### Issuance of Final General NPDES Permit for Offshore Oil and Gas Facilities Off Southern California

**AGENCY:** Environmental Protection Agency (EPA), Region 9.

**ACTION:** Notice of final general NPDES permit: Reissuance.

**SUMMARY:** The Regional Administrator of Region 9 is today issuing a final general NPDES permit for facilities in the Offshore Subcategory of the Oil and Gas Extraction Point Source Category. This permit allows permitted facilities operating in Federal waters off Southern California to maintain compliance with effluent limitations, standards, prohibitions and other conditions established in the general NPDES permit issued on February 18, 1982 (47 FR 7312) for an additional 6 months. The area covered by the general permit includes

lease parcels from Federal Lease Sales Nos. 35, 48, 53 that were included in the original general permit issued on February 18, 1982 and in addition, parcels from Lease Sale #68 and Reoffering Sale #2 added as a result of a final modification of the general permit which EPA is also issuing today. For further information concerning that modification see the notices of final modification published elsewhere in the Notices section of this issue. Both actions, modification of the general permit and reissuance of the general permit, were the subjects of a public hearing on August 11, 1983 in Santa Barbara, CA. EPA's response to comments submitted concerning these permit actions are found in Appendix A of this document. The final general permit issued today contains basically the same effluent limitations and operating conditions as the general NPDES permit issued February 18, 1982. One additional monitoring requirement has been added. Part I.A.1(h) is added to the permit as follows: "The permittee, when submitting the annual monitoring report pursuant to Part I.A.4 of this permit, shall include an analysis (in ppm) for the following elements as contaminants in barite for each source of supply of barite utilized by the permittee in formulating drilling mud: arsenic, cadmium, chromium, copper, lead, mercury, nickel, vanadium, and zinc." This monitoring requirement is included to obtain additional data regarding barite contamination with metals, which was a major concern of commenters at the public hearing. Also, additional notification requirements for commencement of operations have been added to Part I.A.6 of the permit for operations on parcels for which a biological survey is required by Minerals Management Service (MMS) lease stipulation. This survey is required for areas having or believed to have special or unusual biological populations or habitats. Part I.A.6 of the reissued permit requires in addition to the existing requirements, that the biological survey report and the plan of exploration/development be provided to EPA prior to initiation of discharges. Initiation of discharge under the general permit may not begin until EPA has reviewed the survey report and the proposed operations and determined that the general permit is appropriate for the proposed discharges and notified the permittee in writing of this determination. These additional notification requirements were included in the reissued permit to provide additional protection for areas of special biological significance.

EPA has made two changes in the permit regarding CZMA requirements. These changes apply only to facilities commencing operation after the date of this notice. The California Coastal Commission has determined that NPDES activities within 1000 meters of the territorial seas may affect the State's coastal zone. As such, this area is distinct from the rest of the general permit area and EPA is today deleting this area from coverage under the general permit for new operations. Individual permits will be required for all new operations within this area. Condition III.A of the general permit authorizes EPA to require an individual permit for any operation where new information demonstrates that the terms and conditions of the general permit are not appropriate. This condition is intended to include any operation for which the California Coastal Commission has denied consistency concurrence on the facility's exploration or development plan. Accordingly, EPA has changed Condition II.B.8 of the permit to require a consistency determination for any new operation within the revised general permit area and submittal of Coastal Commission concurrence with the determination to EPA prior to operation under the general permit. Condition II.B.8 is modified to read as follows: "State Coastal Zone Management Plan Consistency. Discharge from drilling vessels, production platforms or other facilities engaged in exploratory drilling or production of oil and gas is prohibited until the plan of exploration or development, for each affected parcel, is determined to be consistent with the Coastal Zone Management Plan by the Coastal Commission of the State of California and the consistency concurrence of the Coastal Commission is submitted to EPA. This provision applies only to facilities commencing operation after the date of this notice."

This final permit does not authorize discharges into the territorial seas of the State of California or discharges into any body of water landward of the inner boundary of the territorial seas or any wetlands adjacent to such waters (facilities in the "Onshore" and "Coastal" subcategories defined in 40 CFR Part 435), consistent with the current general permit. Also, the permit does not authorize discharges from facilities defined in 40 CFR 122.2 as "new sources".

This final general permit has an effective date of January 1, 1984 and an expiration date of June 30, 1984.

Copies of the fact sheet and final permit may be obtained from EPA at the address below.

**ADDRESS:** Notification and requests should be sent to the Regional Administrator, Region 9, U.S. Environmental Protection Agency, 215 Fremont Street, San Francisco, California, 94105. [Telephone No. (415) 454-8330.]

**FOR FURTHER INFORMATION AND COPIES OF FINAL PERMIT CONTACT:** Eugene Bromley, Region 9, U.S. Environmental Protection Agency, 215 Fremont Street, San Francisco, California, 94105. [Telephone No. (415) 974-8330.]

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The general NPDES permit authorizes discharges from offshore oil and gas facilities operating in Federal waters offshore Southern California on active lease parcels from Lease Sales Nos. 35, 48, and 53, and the 1966 and 1968 Federal lease sales. Twenty-nine additional tracts were leased by the Minerals Management Service (MMS) in the recent Lease Sale No. 68. These tracts are (by OCS parcel number): P-0456, P-0457, P-0459, P-0460, P-0461, P-0462, P-0463, P-0464, P-0465, P-0467, P-0468, P-0469, P-0472, P-0473, P-0474, P-0475, P-0478, P-0479, P-0480, P-0481, P-0482, P-0483, P-0484, P-0485, P-0486, P-0487, P-0488, P-0489, P-0490. Ten additional tracts were also leased in Reoffering Sale No. 2, Southern California Area. The numbers of these parcels are (by OCS lease parcel number): P-0491 through P-0500 inclusive. EPA proposed to modify the geographic area covered by the general permit to include authorization to discharge on the tracts awarded in these two lease sales on January 3, 1983 (48 FR 76), and EPA is issuing the final modification today published elsewhere in the Notices section of this issue.

The fact sheet accompanying the issuance of the general permit (February 18, 1982, 47 FR 7312) set forth the principal facts and the significant factual, legal, and policy questions considered in the development of the terms and conditions of the permit. As discussed below, EPA believes that these terms and conditions are also appropriate for discharges occurring during the 6 month period of January 1, 1984 through June 30, 1984.

NPDES permits may be issued for 5 year terms. The Regional Administrator decided, however, for several reasons, that the original general permit should be issued with an expiration date of December 31, 1983. First, Section 301(b)(2) of the Act requires that all

permits effective or issued after July 1, 1984 contain effluent limitations representing best available technology economically achievable (BAT) for all categories and classes of point sources. The December 31, 1983 date was included in the permit to allow a reasonable time for the permittees to achieve BAT limitations no later than July 1, 1984. Second, the Regional Administrator concluded that the discharges from facilities operating within the scope of the permits would not cause unreasonable degradation of the marine environment. This conclusion was based on a consideration of the Ocean Discharge Criteria guidelines (45 FR 65942) and an extensive analysis of the available information on the fate and effects of drilling mud discharges. At the time the permits were issued, the available scientific information did not warrant the same conclusions for operations over a 5 year period, the normal term of an NPDES permit.

The Agency is developing a more comprehensive evaluation of the effects of oil and gas discharges on the marine environment pursuant to the Ocean Discharge Criteria, including information on impacts associated with multiple wells at fixed sites, impacts on benthic communities, and bioaccumulation studies. However, the Agency has determined that an additional 6 months under the proposed reissuance does not change the original finding of no unreasonable degradation under 403(c).

The Agency is now developing BAT effluent guidelines for the Offshore Subcategory of the Oil and Gas Extraction Point Source Category. These regulations will specify technology-based limitations to be imposed in NPDES permits. At the time the current permit was issued the Agency expected a BAT determination to be completed by December 31, 1983. It is now apparent that the BAT determination will not be completed until later. In order to ensure a permit consistent with the BAT guidelines determinations, the agency is reissuing the current permit for 6 months. The development of these guidelines combined with the additional information on the effects of the discharges will enable the Agency to propose and issue 5 year term general permits on or before June 30, 1984.

##### **II. Conditions in the General NPDES Permit**

A brief summary of the terms and conditions of the final general NPDES permit is presented below. A more thorough explanation can be found in

the original publication of the current general permit at 47 FR 7312.

#### A. Notification

Permittees are required to notify the Agency of the commencement and termination of operations in the general permit area. Mobile drilling rigs are also required to notify the Agency of relocation within the permit area. In addition, for operations on tracts for which a biological survey is required by (MMS) lease stipulation, permittees are required to provide EPA with the biological survey report and exploration/development plans prior to initiation of discharges. This will allow EPA to evaluate the possible need for an individual NPDES permit for tracts which may contain special biological populations.

#### B. Technology Based Effluent Limitations

The draft permit contains effluent limitations based on the technological capacity of the dischargers to control the discharge of their pollutants or "Best Practicable Control Technology Currently Available" (Section 301(b)(1)(A) of the Clean Water Act and 40 CFR Part 435).

#### C. Other Discharge Limitations

The final permit contains a list of approved drilling muds components. Additional mud components and additives have been approved based on information submitted by permittees. Information concerning these constituents can be obtained at the address given above. Variation from the approved list requires the owner or operator to conduct bioassay tests and submit the analyses to the Regional Administrator. The permit also prohibits the discharge of drilling mud in a volume and/or concentration which, after allowance for initial dilution, would result in exceedences of the limiting permissible concentration (LPC) for a particular drilling mud (40 CFR 227.27(a)). The discharge of oil-based drilling muds is prohibited.

The permit includes effluent limitations for heavy metals in produced waters based on the daily maximum concentration in the California Ocean Plan.

The facility owner or operator is required to minimize the discharge of dispersants, surfactants, and detergents. The discharge of halogenated phenols is prohibited.

#### D. Monitoring and Enforcement

The permit requires dischargers to monitor monthly the concentrations of oil and grease in produced water

discharges and chlorine in sanitary wastes. Monthly monitoring or estimates of produced water flow rate are required, as well as annual sampling for heavy metals. Monthly volume estimates are required for drilling muds, drill cuttings, deck drainage, produced sand, and well treatment fluids. A chemical inventory of materials actually added down the well must also be maintained. Discharge Monitoring Reports must be submitted annually.

### III. Other Legal Requirements

(1) *Consistency with California Coastal Zone Management Program.* The Coastal Zone Management Act (CZMA) and its implementing regulations (15 CFR Part 930) require that any Federally-licensed activity directly affecting the coastal zone of a State with an approved Coastal Zone Management Program (CZMP) be determined to be consistent with the CZMP. The original general permit did not authorize discharges into the territorial seas of the State of California, nor into any body of water landward of the inner boundary of the territorial seas or any wetland adjacent to such waters. The CZMA requires review of exploration and development plans for consistency with the California Coastal Zone Management Plan and, therefore, the permit contains a provision (Condition II.B.8) requiring CZMP consistency review prior to authorization to discharge.

This provision requires that operations under the general permit may not be conducted until the plan of exploration or development has been certified to the Coastal Commission of the State of California as consistent with CZMP and has been concurred upon by that Commission. The consistency concurrence must be submitted to EPA prior to operation under the general permit.

As discussed earlier in this notice, CZMA requirements of the reissued permit are different in two respects from the original general permit issued in February, 1982. The California Coastal Commission has determined that NPDES activities within 1,000 m of the territorial seas may affect the State's coastal zone. As such, this area is distinct from the rest of the general permit area and EPA is deleting this area from coverage under the general permit for new operators. Individual permits are required for all new operations within this area. Also, EPA is changing Condition II.B.8 of the permit to require a consistency determination on a facility's exploration or development plan for any new operation within the revised general permit area and submittal of Coastal

Commission concurrence with the determination to EPA prior to operation under the general permit. The new requirements are applicable only to facilities commencing operations after the date of this notice.

(2) *Endangered Species Consultations.* The Endangered Species Act requires that each Federal Agency ensure that any of their actions, such as permit issuance, do not jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of their habitats. The Minerals Management Service (MMS) of the Department of Interior has undertaken endangered species reviews including full consultation with the Department of Commerce, the National Marine Fisheries Service and the Department of the Interior's Fish and Wildlife Service, with respect to all oil and gas leasing in the general permit area. Prior to issuance of the general permit EPA concluded that the discharges authorized by the general permit would neither jeopardize the continued existence of any endangered or threatened species nor adversely affect its critical habitat. Both the National Marine Fisheries Service and the U.S. Fish and Wildlife Service concurred with this conclusion. The reissued permit extends the authorization to discharge for 6 additional months in the same locations where discharges are currently authorized and includes new areas described in the permit modification discussed above. Since the new tracts are in the same vicinity as the existing tracts, EPA concluded that discharges on the added tracts would neither jeopardize the continued existence of any endangered species nor adversely affect its critical habitat.

Therefore, EPA believes that the previous conclusion regarding effects on endangered species is applicable to the final reissued general permit.

(3) *Economic Impact (Executive Order 12291).* The Office of Management and Budget (OMB) has exempted this action from the review requirement of Executive Order 12291 pursuant to Section 8(b) of that order.

(4) *Paperwork Reduction Act.* EPA has reviewed the requirements imposed on regulated facilities by the final permit reissuance under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* The information collection requirements in the final permit have already been approved by the Office of Management and Budget under submissions made for the NPDES permit program under the provisions of the Clean Water Act. The final general

permit explains how its information collection requirements respond to any OMB or public comments.

(5) *Regulatory Flexibility Act.* After review of the facts presented in the notice printed above, I hereby certify, pursuant to the provisions of 5 U.S.C. 605(b), that the final permit reissuance will not have a significant impact on a substantial number of small entities. Moreover, they reduce a significant administrative burden on regulated sources.

Dated: November 22, 1983.

John Wise,  
Acting Regional Administrator.

#### Appendix A—Public Comments

A public hearing was held on August 11, 1983, in Santa Barbara, California to receive public comment regarding the proposed modification and reissuance of the general NPDES permit covering discharges associated with the development of oil and gas resources on the Pacific Outer Continental Shelf, adjacent to Southern California. Numerous comments were submitted to EPA at the public hearing and within the public comment period which closed on August 25, 1983. The following parties responded with comments:

Fred Eissler, for Scenic Shoreline Preservation Conference  
Jeffrey Young, for Pacific Seafood Industries, Inc.  
California Dept. of Fish and Game  
Ralph T. Hicks, for the Environmental Defense Center  
Michael Fischer, for California Coastal Commission  
Marin Conservation League  
Ruth Corwin, for the Oceanic Society League for Coastal Protection  
Get Oil Out, Inc.  
County of Ventura  
No Oil, Inc.  
American Cetacean Society  
Gulf Oil Exploration and Production Co.  
Chevron, U.S.A., Inc.  
California Offshore Operators Ad Hoc Committee  
SOS: Save Our Shore  
Exxon Company, U.S.A.  
Shell Oil Company  
Conoco, Inc.  
Marathon Oil Company  
Texaco, Inc.  
B. R. Hall, for the American Petroleum Institute and the following individuals:  
Joseph Nalven  
Philip Beguhl  
Dianne Kopec  
Scott D. Smith  
Beatrice Sweeney  
Andrew J. McMullen  
Edmund Guerrero  
John Mohr  
Steve Rowe  
David Santis  
Stuart Baker  
K. C. Burger

Valerie Weiss  
Clay Powell  
Blake Gentry  
Elizabeth M. Engriser  
Peter Green  
Jeff Enorly  
D. F. Rick Hoifman  
Frederick T. Weiss  
Cedric Garland  
Irwin Haydock

The following parties testified at the August 11 public hearing:

#### For the California Offshore Operators Ad Hoc Committee

Douglas E. Uchikura  
John Herring  
Robert Ayers, Jr.  
Theodore C. Sauer, Jr.  
Ronald Kolpack  
Robert P. Meek  
Frank J. Hester  
Curt Rose  
Donald F. Keene  
Jerry M. Neff  
William Bresnick  
Scott Cox, Coast Watch  
Ruth Corwin, San Francisco Oceanic Society  
William A. Master, Santa Barbara County  
Martha Weiss, California Coastal Commission  
Scott Cox, Get Oil Out  
Fred Eissler, Scenic Shoreline Preservation Conference, Inc.  
Alan Hur, Commercial Fishing  
Win Swint, California Abalone Assoc.  
Frank Peterson, Oil Waste Watch  
Michael David Cox, Environmental Defense Center  
Naomi Schwartz, for Senator Gary Hart  
Carla D. Frisk, for Assemblyman Jack O'Connell  
Ralph Hicks, Sierra Club  
Rachel T. Saunders, Friends of the Sea Otter  
and the following individuals:  
Cedric Garland  
John L. Mohr

The following parties submitted comments which were received after the public comment period ended on August 25, 1983.

Minerals Management Service  
La Mer Bleu Production  
City of Santa Barbara  
Whale Center of Oakland, CA  
Cities Service Oil and Gas Corporation

Comments presented during the public comment period and at the public hearing were reviewed by EPA and considered in the formulation of the final decision regarding the proposed permit modification and reissuance. Our response to these comments is as follows:

*Comment:* Several commenters pointed out that processes are available for solidifying drilling mud, thereby reducing its potential for environmental degradation when discharged. Commenters suggested that such technology should be required for

offshore oil operations rather than allow the disposal of the raw drilling fluids.

*Response:* EPA has investigated these processes and their possible application for offshore oil and gas operations. The processes have not been demonstrated in an actual offshore operation and still appear to be in developmental stages for offshore applications. Space requirements are considerable although the process could conceivably be situated on a barge or workboat adjacent to an offshore operation. However, in light of the developmental nature of these processes for offshore facilities, it would not be appropriate to require the technology at this time. The EPA Effluent Guidelines Division is considering this treatment option as a candidate technology for future effluent guidelines for this industry.

*Comment:* A safety factor greater than .01 should be used to determine limiting permissible concentrations from 96 hr drilling mud bioassays.

*Response:* The safety factor of 1% was obtained from the Ocean Discharge Criteria (40 CFR Part 125, Subpart M), regulations promulgated by EPA pursuant to Section 403(c) of the Clean Water Act. The safety factor is intended to provide protection for chronic exposure and critical life stages. An alternate safety factor may be used if justified by scientific evidence. The use of .01 as the safety factor for drilling mud discharges was analyzed by Dr. Gary Petrazzuolo in *Environmental Assessment: Drilling Fluids and Cuttings Released onto the OCS*. The analysis showed that this safety factor is likely to be overly conservative rather than insufficiently stringent.

*Comment:* Concern was expressed over the effect of mud discharges on the California spiny lobster.

*Response:* Dr. Gary Petrazzuolo has analyzed large numbers of bioassay results for marine organisms and has developed an approximate scale of relative sensitivity of marine organisms and classes of organisms to drilling mud. It should be remembered that variation in sensitivity exists within these groupings. However, the data show that on the average, lobsters are not unusually sensitive to drilling mud. The permit limits pertaining to drilling mud toxicity should be adequate to protect the California lobsters. The research referred to by the commenters showed that as with many other marine organisms lobsters are particularly sensitive to the presence of diesel oil in drilling mud. Diesel oil is not an approved additive for muds discharged into Federal waters offshore Southern California. Those muds which are

allowed to be discharged should not present an excessive risk to the lobster.

*Comment:* EPA should require substitutes for toxic components in drilling mud, and the least toxic additives where choices are available.

*Response:* A wide variety of basic mud constituents and specialty additives are needed for different drilling circumstances. The general permit limits the toxicity of drilling muds as a whole. EPA believes these toxicity limits place adequate constraints on additive selection and the amount of the additives used.

*Comment:* Many commenters objected to the discharge of drilling muds.

Concern was expressed regarding acute toxicity of the muds, chronic toxicity, and the presence of substances such as heavy metals and asbestos in the muds.

*Responses:* EPA uses the "generic mud" approach for regulating the discharge of drilling muds. Eight basic formulations of drilling mud have been tested by EPA and found to exhibit low toxicity. These "generic muds" may be discharged along with similar muds which may reasonably be expected to exhibit low toxicity also. Condition I.A.1(e) of the general permit requires for nongeneric muds or muds with specialty additives that there be no exceedance of a "limiting permissible concentration" or LPC after initial dilution. The LPC is defined on Condition III.C. 17 of the permit. On the basis of mud dispersion studies, EPA, Region 9 has concluded that 10,000 ppm is the minimum 96 hr LC<sub>50</sub> (suspended particulate phase) required for compliance with Condition I.A.1(e). Region 9's procedure for regulating mud discharges was derived from the Ocean Discharge Criteria (40 CFR Part 125, Subpart M), regulations promulgated by EPA pursuant to Section 403(c) of the Clean Water Act. As such, EPA believes that the requirements of Section 403(c) are satisfied.

After initial dilution mud discharges are required to be diluted below 1% of the concentration shown to be acutely toxic to appropriate sensitive marine organisms. The application factor of 1% is believed to provide adequate protection for chronic toxicity and critical life stages. Also mud impact studies have shown that the impact of the mud discharges are temporary and restricted to the immediate vicinity of the discharge site.

Commenters were concerned about the presence of heavy metals and asbestos in mud. Asbestos is not permitted for use in drilling muds discharged offshore California.

However, there is a potential for heavy metals contamination of barite used in drilling muds. The permit is

being modified to require all operators, when submitting annual monitoring reports pursuant to Condition I.C. 4 of the permit, to submit an analysis for the presence and concentration of the following elements as possible contaminations in the barite used in formulating drilling mud: Arsenic, cadmium, chromium, copper, lead, mercury, nickel, vanadium, and zinc. One analysis shall be provided for each source of supply of barite used by the operator.

*Comment:* A limitation more specific than "no free oil" is needed for discharges such as deck drainage.

*Response:* This limitation is derived from effluent guidelines for the Oil and Gas Extraction Point Source Category (40 CFR Part 435). "No free oil" means that the discharge not cause a film or sheen upon or a discoloration on the surface of the water or adjoining shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines. EPA recognizes the desirability of a more specific limitation and has developed a "laboratory sheen test" to more accurately measure the presence of "free oil." However, EPA believes that it is appropriate to retain the present limitation until the procedure is formally adopted by EPA as an effluent guideline.

This new requirement is expected to be proposed as part of a package of new effluent guidelines for this industry in January, 1984.

*Comment:* Concern was expressed regarding toxic substances in produced water discharges.

*Responses:* The general permit contains limits on concentrations of metals in produced water discharges. The limits are to be achieved after initial dilution in a mixing zone defined in the permit. The limits are the same as those in California Ocean Plan.

These allowable concentrations were determined through a thorough study of the effects of these elements on marine organisms. EPA believes that these limits should provide adequate protection for the marine environment. The EPA Effluent Guidelines Division has recently completed a survey in which produced water was sampled for toxic organics in addition to metals.

Produced water in the Gulf of Mexico, offshore California and Alaska were sampled and small concentrations of some toxic organics were identified, particularly in Alaska. The Effluent Guidelines Division is still in the process of reviewing the data and treatment options for controlling the discharge of toxic organics in produced waters. EPA, Region 9 believes that it is appropriate to wait until this analysis is complete

before proposing any possible modifications to the general permit.

*Comment:* Concern was expressed that discharges might threaten the sea otter and that permit limits were inadequate to ensure the protection of the sea otter.

*Responses:* The southern sea otter inhabits nearshore waters from Santa Cruz in the North to Pismo Beach (approximately) in the South. EPA is proposing to add 10 new tracts in the Santa Maria Basin as authorized discharge sites for offshore oil operations. The new tracts are located to the west and south, seaward of tracts on which discharges are currently authorized in the Santa Maria Basin, and as such are farther from the sea otter territory than the existing tracts. The general permit contains limitations of the discharge of toxic materials on all the tracts on which discharges are authorized. The impact of these discharges is restricted to the immediate vicinity of the drilling operation and discharges on the new tracts should not present an undue risk to the sea otter.

*Comment:* The California Coastal Commission (CCC) staff requested a special condition requiring that the general permit not apply in any case for which the CCC determines that consistency review is required. The general permit currently requires that dischargers operating within 1000 m of State waters obtain consistency concurrence for their operation prior to operating under the general permit.

*Responses:* EPA has made two changes in the permit regarding CZMA requirements. These changes apply only to facilities commencing operation after the date of this notice. The California Coastal Commission has determined that NPDES activities within 1,000 m of the territorial seas may affect the State's coastal zone. As such, this area is distinct from the rest of the general permit area and EPA is today deleting this area from coverage under the general permit for new operations. Individual permits will be required for all new operations within this area. Condition III.A of the general permit authorizes EPA to require a separate permit for any operation where new information demonstrates that the terms and conditions of the general permit are not appropriate. This condition is intended to include any operation which the California Coastal Commission has concluded would affect State water uses. Accordingly, EPA has changed Condition II.B.8 of the permit to require a consistency determination for any new operation within the revised general permit area and submittal of Coastal

Commission concurrence with the determination to EPA prior to operation under the general permit. Condition II.B.8 is modified to read as follows: "State Coastal Zone Management Plan Consistency. Discharge from drilling vessels, production platforms or other facilities engaged in exploratory drilling or production of oil and gas is prohibited until the plan of exploration or development, for each affected parcel, is determined to be consistent with the Coastal Zone Management Plan by the Coastal Commission of the State of California and the consistency concurrence of the Coastal Commission is submitted to EPA. This provision applies only to facilities commencing operation after the date of this notice."

*Comment:* The permit contains inadequate mechanisms to ensure compliance with permit limits.

*Response:* NPDES permits (including this general permit) require the permittee to monitor wastewater prior to discharge, retain records for at least 3 years, and report monitoring results to EPA. The requirement that a permittee conduct self-monitoring is authorized in Section 402 of the Clean Water Act, and is a standard requirement for all NPDES permits issued by EPA. EPA has found self-monitoring to be an effective and efficient tool for determining compliance with requirements and ensuring proper operation of pollution control facilities.

EPA retains the authority to inspect permitted facilities and records and to take discharge samples. An inspection was recently conducted by EPA in which all offshore operations in Federal waters offshore Southern California were visited. Samples of drilling mud and produced water were taken at each facility in operation at the time of the inspection. These samples are currently being analyzed by EPA to determine compliance with permit limits.

EPA's enforcement and monitoring efforts are supplemented by the activities of other Federal and State agencies. The Ventura office of the Minerals Management Service (MMS, formerly the U.S. Geological Survey) maintains a close surveillance over drilling activities in the Santa Barbara Channel and elsewhere in offshore waters of Southern California.

*Comment:* The organisms which EPA has utilized in bioassay tests of drilling mud are insufficiently sensitive to assess the impacts of the mud discharges in the marine environment.

*Response:* Lethal and sublethal toxicity tests for drilling muds have been performed with a wide variety of marine organisms. Petrazzuolo in *Environmental Assessment: Drilling Fluids and Cuttings Released on the*

*OCS* indicates that testing has occurred for 82 species from 67 genera. Of course, some species are more sensitive than others, and sensitivity varies with different muds and additives. The tests may not have included all of the most sensitive marine organisms.

However, EPA believes that the large number of tests and the variety of species tested provides an adequate representation of overall toxicity of muds in the marine environment. In addition, EPA is currently funding a bioassay and bioaccumulation study using the ridgeback prawn, a commercially important local species. Results of the study will be available in 2-3 months.

*Comment:* Several commenters expressed concern that the general permit might not provide adequate protection for areas of special biological significance such as the Channel Islands Marine Sanctuary or Point Conception.

*Response:* The general permit applies to specified Federal waters offshore Southern California where a uniform set of effluent limitations, monitoring requirements and other conditions are believed to be appropriate. Additional limitations may be required for areas of special biological significance. Part III. A of the general permit provides that an individual permit be issued with special effluent limitations for cases when the limitations in the general permit are not appropriate. This mechanism will provide adequate protection for areas of special biological significance.

However, EPA believes that additional notification requirements are appropriate for operations in such areas to ensure adequate review of the proposed operation prior to initiation of discharges. EPA is modifying the notification requirements (Part I.A.6) in the reissued permit for parcels for which a biological survey is required by MMS lease stipulation. This biological survey is required for areas having or believed to have special or unusual biological populations or habitats, and should include most areas of concern of the commenters. Part I.A.8 of the reissued permit is being modified to require that the biological survey report and the plan or exploration/development be provided to EPA prior to commencement of operations. Initiation of discharge under the general permit may not begin until EPA has reviewed the survey report and the proposed operations and determined that the general permit is applicable to the proposed discharges and notified the permittee in writing of this determination.

The National Oceanic and Atmospheric Administration (NOAA) has promulgated regulations for

activities (including hydrocarbon) in the Channel Islands Marine Sanctuary (15 CFR Parts 935 and 936). These regulations prohibit discharges on lease areas leased subsequent to the effective date of the sanctuary regulations.

Other lease parcels are not affected. However, lease parcels leased prior to sanctuary designation are all on the outer fringes of the designated sanctuary area and EPA believes that permit limitations will adequately protect the sanctuary resources.

*Comment:* The cumulative impact of discharges from the large number of wells expected to be drilled over the next several years needs to be more completely investigated.

*Response:* The permit which is being reissued expires on June 30, 1984. Only a limited amount of drilling can take place during the life of the permit within the existing permit area or the additional tracts on which the Agency is authorizing discharges. EPA believes that the cumulative impact from this limited amount of drilling, subject to permit effluent limitations, will not cause unreasonable degradation of the marine environment.

*Comment:* The geography and biology in the general permit area are variable and as such a general permit is not appropriate. Individual permits should be issued which would allow a site-by-site analysis.

*Response:* This issue was raised when the general permit was originally issued in 1982. EPA concluded that a general permit would be appropriate for the waters specified by the permit. This conclusion was based on the fact that previously issued individual permits for the offshore Southern California area contained mostly the same effluent limitations, monitoring requirements and other conditions. Also, EPA has made conservative assumptions in deriving effluent limitations and these limits should be adequate throughout the general permit area. Areas of special biological significance such as Tanner Banks were excluded from coverage under the general permit. The new parcels from Lease Sale #68 and Ρεοφφερινγ Σαλε #2 are in the same vicinity as the tracts on which discharges are currently authorized by the general permit. EPA believes that the effluent limitations, monitoring requirements and other conditions in the existing general permit are appropriate for the new parcels. As such, EPA believes it is appropriate to include the new parcels in the existing permit. Should new information indicate that additional effluent limitations are required for any of the new tracts, an

individual permit would be required pursuant to Condition III.A of the general permit.

*Comment:* New species have been discovered in the biological surveys conducted in the Point Conception area. Commenters felt that the permit limits were inadequate to ensure the protection of these resources. The biological surveys are required by the Minerals Management Service as a lease stipulation for some lease parcels.

*Response:* EPA has reviewed the reports of the biological surveys conducted in the Point Conception area. The reports themselves concluded that discharges from the offshore oil and gas operations would probably not harm the biological communities. The new species seemed to be widespread throughout the survey area. Impacts from discharges from oil and gas operations are restricted to the vicinity of the drillsite. However, should biological resources be discovered requiring special protection, individual permits would be issued with effluent limitations tailored to the needs of the discharge site.

*Comment:* The EPA, Region II generic muds were bioassay tested with specific concentrations of mud constituents in them. For example, maximum concentration of barite was 176 lbs/bbl. EPA should not allow a range of allowable mud concentrations such as barite up to 450 lbs/bbl.

*Response:* EPA has reviewed bioassay data for muds containing the upper limits for the mud components allowed to be discharged. For example, barite is allowed to be discharged in muds up to 450 lbs/bbl. This determination was based on a review of bioassay data for muds containing 450 lbs/bbl barite. The review showed that the discharge would comply with permit requirements.

*Comment:* The expiration date for the permit should not be June 30, 1984, but should allow for possible action by Congress within the life of the permit to extend the deadline for BAT effluent limits beyond June 30, 1984.

*Response:* EPA cannot speculate on future actions by Congress regarding possible changes in the timetable for attainment of BAT effluent limitations. Permits issued today must reflect the requirements of the Clean Water Act as it currently exists.

*Comment:* concern was expressed by a commenter regarding possible adverse effects on U.S.-Mexico relations resulting from a blow-out.

*Response:* The general permit does not authorize blowouts. EPA can only respond to comments on effects of discharges that are permitted by the general permit. The area in which operations may be conducted under the

general permit is considerable distance to the north of the waters of Mexico.

*Comment:* Examples were cited by commercial fishermen of damage to fishing gear resulting from mud discharges.

*Response:* The Outer-Continental Shelf (OCS) Lands Act amendments of 1978 established a Fishermen's Contingency Fund to compensate commercial fishermen for losses resulting from offshore oil and gas operations. The program is administered by National Marine Fisheries Service (NMFS). Funds for the program come from the oil and gas industry. EPA suggests that the NMFS be contacted by commercial fishermen who believe they have suffered economic losses as result of offshore oil and gas operations. For the Southern California area the appropriate NMFS office is located in Terminal Island, CA (Telephone No. (213) 548-2478).

[Permit No. CA0110516]

#### General Permit Authorization To Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 USC 1251 et seq.; the "Act"), the following discharges are authorized:

Drill Cuttings and Drilling Muds (discharge 001),  
Produced Water (discharge 002),  
Produced Sand (discharge 003),  
Well Completion and Treatment Fluids (discharge 004),  
Deck Drainage (discharge 005),  
Sanitary Wastes (discharge 006),  
Domestic Wastes (discharge 007),  
Desalinization Unit Discharge (discharge 008),  
Cooling Water (discharge 009),  
Bilge Water (discharge 010),  
Ballast Water (discharge 011),  
Excess Cement Slurry (discharge 012),  
BOP Control Fluid (discharge 013), and  
Fire Control System Test Water (discharge 014),

from offshore oil and gas facilities (defined in 40 CFR Part 435, Subpart A) to receiving waters named the Pacific Ocean, in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III thereof.

Offshore permittees who fail to notify the Regional Administrator of their intent to be covered by this general permit are not authorized to discharge to the specified receiving waters unless an individual permit has been issued to the facility by EPA, Region 9.

The authorized discharge sites are (by OCS lease parcel number):

in waters west and northwest of Point Arguello,

P-0393 P-0394 P-0395 P-0396 P-0397  
P-0400 P-0401 P-0402 P-0403 P-0404  
P-0405 P-0406 P-0407 P-0408 P-0409  
P-0410 P-0411 P-0412 P-0413 P-0414  
P-0415 P-0416 P-0418 P-0419 P-0420  
P-0421 P-0422 P-0424 P-0425 P-0426  
P-0427 P-0429 P-0430 P-0431 P-0432  
P-0433 P-0434 P-0435 P-0436 P-0437  
P-0438 P-0439 P-0440 P-0441 P-0443  
P-0444 P-0445 P-0446 P-0447 P-0448  
P-0449 P-0450 P-0451 P-0452 P-0453  
P-0491 P-0492 P-0493 P-0494 P-0495  
P-0496 P-0497 P-0498 P-0499 P-0500;

in waters south and west of Pt. Conception,  
P-0315 P-1316 P-0317 P-0318 P-0319  
P-0320 P-0321 P-0322 P-0323 P-0324  
P-0325 P-0327 P-0328 P-0330 P-0331  
P-0332 P-0333 P-0338 P-0456 P-0457;

in the Santa Barbara Channel from Pt. Conception to Goleta Point,

P-0180 P-0181 P-0182 P-0183 P-0184  
P-0185 P-0186 P-0187 P-0188 P-0189  
P-0190 P-0191 P-0192 P-0193 P-0194  
P-0195 P-0196 P-0197 P-0326 P-0329  
P-0334 P-0335 P-0336 P-0339 P-0340  
P-0341 P-0342 P-0343 P-0344 P-0345  
P-0348 P-0349 P-0350 P-0351 P-0352  
P-0353 P-0354 P-0355 P-0356 P-0357  
P-0358 P-0359 P-0360 P-0459 P-0460  
P-0461 P-0462 P-0463 P-0464 P-0465  
P-0467 P-0469 P-0475;

in the Santa Barbara Channel from Santa Barbara to Ventura,

P-0166 P-0202 P-0203 P-0204 P-0205  
P-0208 P-0209 P-0210 P-0215 P-0216  
P-0217 P-0231 P-0232 P-0233 P-0234  
P-0238 P-0240 P-0241 P-0337 P-0346  
P-0347 P-0361 P-0468 P-0472 P-0473  
P-0474 P-0478 P-0479;

in waters south of Santa Rosa and Santa Cruz Islands,

P-0362 P-0363 P-0364 P-0480 P-0481  
P-0482 P-0483 P-0484 P-0485 P-0486  
P-0487;

in the San Pedro Channel between San Pedro and Laguna,

P-0295 P-0296 P-0300 P-0301 P-0306  
P-0366 P-0488;

in waters west of San Clemente Island in the Tanner Bank Area,

P-0367 P-0369 P-0489 P-0490.

This general permit does not apply to discharges within 1000 meters of the territorial seas of the State of California for facilities commencing to discharges after the effective date of this permit. Individual permit must be obtained for discharge within this area.

This permit does not authorize discharges from "new sources" as defined in 40 CFR 122.3.

The permit shall become effective on \_\_\_\_\_.

This permit and the authorization to discharge shall expire at midnight June 30, 1984.

Signed this 22d day of November, 1983  
John Wise,  
Acting Regional Administrator.

**Part I**

**A. Effluent Limitations and Monitoring Requirements**

1. During the period beginning the date notification of commencement of

Effluent characteristic	Discharge limitations				Monitoring requirements	
	Kilograms per day (pounds per day)		Other units (specify)		Measurement frequency	Sample type
	Daily average	Daily maximum	Daily average	Daily maximum		
Total volume (cubic meters) <sup>1</sup>					Once per month	Estimate.

<sup>1</sup>The total volume of drill cuttings and drilling muds discharged for the prior month at each site shall each be monitored by an estimate sample type.

b. There shall be no discharge of free oil as a result of the discharge of drill cuttings and/or drilling muds. The permittee shall make visual observations for the presence of free oil on the surface of the receiving water in the vicinity of the discharge on each day of discharge.

c. There shall be no visible floating solids in the receiving waters as a result of these discharges.

d. The discharge of oil-base drilling muds is prohibited.

e. There shall be no discharge of toxic materials in a concentration and/or volume which after allowance for initial mixing, exceeds the limiting permissible concentration defined in Condition III.C.17. The discharge of generic drilling muds, as defined in Part III.C.18 of this permit, shall constitute compliance with this provision.

f. Drilling Muds Inventory. The permittee shall maintain a precise chemical inventory of all constituents and their volume added downhole for each well. This inventory shall include diesel fuel and any drilling mud additives used to meet specific drilling requirements.

**g. Additional Monitoring Requirements: Bioassay of Spent Drilling Muds**

Within six (6) months of the initiation of drilling mud discharges, the permittee shall demonstrate compliance with condition I.A.1.e. by conducting and reporting the results of a drilling mud bioassay performed for each type of drilling mud discharged. A sample of spent drilling mud, immediately prior to its intended discharge, shall be collected for analysis. The bioassay shall be conducted in accordance with procedures developed by the Mid-

Atlantic Joint Industry Bioassay Program, or other methods approved by the Regional Administrator, Region 9. The following shall be submitted to the Regional Administrator:

a. Such discharges shall be limited and monitored by the permittee as specified below:

(a) The date the sample was collected;  
(b) The average rate of discharge and total volume of spent drilling mud discharged on the date of the sample;  
(c) The water depth into which the drilling muds were discharged;  
(d) The results of bioassays, including the survival percentages of all dilutions tested;  
(e) A list of all components, including

Effluent characteristic	Discharge limitations				Monitoring requirements	
	Kg/day (lbs/day)		Other units (specify)		Measurement frequency	Sample type
	Daily average	Daily maximum	Daily average	Daily maximum		
Flow-m <sup>3</sup> /day (MGD)					Once per month	Composite.
Oil and grease				72.0 mg/l <sup>1</sup>	do	Do.
Arsenic				.032 mg/l <sup>1</sup>	Once per year	Do.
Cadmium				.012 mg/l <sup>1</sup>	do	Do.
Total chromium				.008 mg/l <sup>1</sup>	do	Do.
Copper				.020 mg/l <sup>1</sup>	do	Do.
Cyanides				.032 mg/l <sup>1</sup>	do	Do.
Lead				.00056 mg/l <sup>1</sup>	do	Do.
Mercury				.080 mg/l <sup>1</sup>	do	Do.
Nickel				.0018 mg/l <sup>1</sup>	do	Do.
Silver				.080 mg/l <sup>1</sup>	do	Do.
Zinc				.120 mg/l <sup>1</sup>	do	Do.
Phenols						

<sup>1</sup> This limit is applicable after initial dilution within a mixing zone defined in Condition III. C.16. Compliance with these limits shall be determined through the use of the following equation: C<sub>e</sub> = C<sub>0</sub> + D<sub>m</sub> (C<sub>0</sub> - C<sub>s</sub>)

Where:

- C<sub>e</sub> = the maximum allowable concentration,
- C<sub>0</sub> = the concentration in Part I.A.2.a. which is to be met at the completion of initial dilution,
- C<sub>s</sub> = background seawater concentration (See part III.C.19),
- D<sub>m</sub> = minimum probable initial dilution expressed as parts seawater per part wastewater.

b. Samples taken in compliance with the monitoring requirements specified in Condition A.2.a., above, shall be taken at the following location: at a point in discharge 002 prior to entry into the waters of the Pacific Ocean.

3. During the period beginning the date notification of commencement of

the weights, in pounds per barrel, used to compose the drilling muds which are discharged. If commercial names are listed, their chemical constituents shall also be provided.

The bioassay requirement shall be deemed satisfied where the permittee discharges a drilling mud for which bioassay test data, obtained through procedures defined above, has previously been submitted to the Regional Administrator without regard to whether the permittee was originally responsible for obtaining the test data.

h. The permittee, when submitting the annual monitoring report pursuant to Part I.A.4 of this permit, shall include an analysis (in ppm) for the following elements as contaminants in barite for each source of supply of barite utilized by the permittee in formulating drilling mud: arsenic, cadmium, chromium, copper, lead, mercury, nickel, vanadium, and zinc.

2. During the period beginning the date notification of commencement of operations is received by the Regional Administrator and lasting through June 30, 1984, the permittee is authorized to discharge from outfall(s) serial number(s) 002 (produced water).

a. Such discharges shall be limited and monitored by the permittee as specified below:

operations is received by the Regional Administrator and lasting through June 30, 1984, the permittee is authorized to discharge from outfall serial numbers 003-007.

a. Such discharges shall be limited and monitored by the permittee as specified below:

Serial Nos. and outfalls.	Effluent characteristic	Discharge limitations	Monitoring requirements	
			Measurement frequency	Sample type
003—Produced Sand <sup>1</sup>	Quantity (m <sup>3</sup> )		Once/month	Estimate.
004—Well Completion and Treatment Fluids <sup>1</sup>	Volume (bb/mo)		do	Do.
005—Deck Drainage <sup>1</sup>	Volume (bb/mo)		do	Do.
006—Sanitary Waste	Flow Rate (MGD)		do	Do.
	Residual Chlorine	1.0 mg/l <sup>2</sup>	do	Do
007—Domestic Waste				

<sup>1</sup> There shall be no discharge of free oil as a result of this discharge. The permittee shall make visual observations for the presence of free oil on the surface of the receiving water in the vicinity of the discharge on each day of discharge.  
<sup>2</sup> Minimum of mg/l and maintained as close to this concentration as possible. This requirement is not applicable to facilities intermittently manned or to facilities permanently manned by nine (9) or fewer persons.

B. Samples taken in compliance with monitoring requirements specified above shall be taken at a sampling point prior to commingling with any other waste stream or entering Pacific waters. In cases where sanitary and domestic wastes are mixed prior to discharge, and sampling of the sanitary waste component stream is infeasible, the discharge may be sampled after mixing. In such cases, the discharge limitation shown above for sanitary waste shall apply to the mixed waste stream.

4. a. During the period beginning the date notification of commencement of operations is received by the Regional Administrator and lasting through June 30, 1984, the permittee is authorized to discharge from outfall(s) serial number(s) 008-014 (miscellaneous discharges).

Discharge 008—Desalinization Unit Discharge.

- 009—Cooling water.
- 010—Bilge Water.
- 011—Ballast Water.
- 012—Excess Cement Slurry.
- 013—Control Fluid From Blow-Out Preventer.
- 014—Fire Control System Test Water.

b. There shall be no free oil in the receiving waters as a result of these discharges.

5. *Reopener Clause.* In addition to any other grounds specified herein, this permit shall be modified or revoked at any time if, on the basis of any new data, the Regional Administrator determines that continued discharge may cause unreasonable degradation of the marine environment.

6. *Commencement and Termination of Operations—Notification Requirements.*

Written notification of commencement of operations including name and address of permittee, description and location of operation and of accompanying discharges shall be provided to the Regional Administrator at least fourteen (14) days prior to initiation of discharges. Permittees shall also notify the Regional Administrator upon permanent termination of

discharge from these facilities. The permittee shall be the owner of the exploratory drillship or offshore platform or the leaseholder upon certification, in writing, to the Regional Administrator, prior to commencement of operation, that he shall assume full responsibility for compliance with this general permit. For operations on parcels for which a biological survey is required by Minerals Management Service (MMS) lease stipulation, the biological survey report and the plan of exploration/development shall be provided to EPA prior to initiation of discharges. Initiation of discharge under the permit may not begin until EPA has reviewed the survey report and the proposed operations and determined that this general permit is appropriate for the proposed discharges and notified the permittee in writing of this determination.

7. *Effective Date for Monitoring Requirement.* The monitoring requirements shall take effect upon commencement of discharge.

8. *Notification of Relocation by Exploratory Drilling Vessel.* No less than fourteen (14) days prior to any relocation and initiation of discharge activities at an authorized discharge site the permittee shall provide to the Regional Administrator written notification of such actions. The notification shall include the parcel number and exact coordinates of the new site and the initial date and expected duration of drilling activities at the site.

**B. Other Discharge Limitations**

1. **Floating Solids or Visible Foam.** There shall be no discharge of floating solids or visible foam in other than trace amounts.

2. **Halogenated Phenol Compounds.** There shall be no discharge of halogenated phenol compounds.

3. **Surfactants, Dispersants, and Detergents.** The discharge of surfactants, dispersants, and detergents shall be minimized except as necessary

to comply with the safety requirements of the Occupational Safety and Health Administration and the U.S. Geological Survey.

4. **Sanitary Wastes.** Any facility using a marine sanitation device that complies with pollution control standards and regulations under Section 312 of the Act shall be deemed to be in compliance with permit limitations for sanitary waste discharges until such time as the device is replaced or is found not to comply with such standards and regulations.

**C. Monitoring and Records**

1. **Representative Sampling.** Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored activity.

2. **Reporting Procedures.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

3. **Penalties for Tampering.** The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

4. **Reporting of Monitoring Results.** Monitoring results obtained during the previous 12 months shall be summarized and reported on a Discharge Monitoring Report Form, EPA No. 3320-1 (DMR). In addition, the annual average shall be reported and shall be the arithmetic average of all samples taken during the year. The highest daily maximum sample taken during the reporting period shall be reported as the daily maximum concentration.

If any category of waste (outfall) is not applicable due to the type of operation (e.g., drilling, production) no reporting is required for that particular outfall. Only DMR's representative of the activities occurring need to be submitted. A notification indicating the type of operation should be provided with the DMR's.

The first report is due on the 28th day of the 13th month from the day this permit first becomes applicable to a permittee. Signed and certified copies of these and other reports required herein, shall be submitted to the Regional Administrator at the following address: Director, Water Management Division, Region 9, U.S. Environmental Protection

Agency, 215 Fremont Street, San Francisco, CA 94105.

5. **Additional Monitoring by the Permittee.** If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

6. **Averaging of Measurements.** Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Regional Administrator in the permit.

7. **Retention of Records.** The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit for a period of at least three (3) years from the date of the sample, measurement, or report. This period may be extended by request of the Regional Administrator at any time.

8. **Record Contents.** Records of monitoring information shall include:

- a. The date, place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

9. **Inspection and Entry.** The permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

#### *D. Reporting Requirements*

1. **Anticipated Noncompliance.** The permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

2. **Monitoring Reports.** Monitoring results shall be reported at the intervals specified in Part I.C. of this permit.

3. **Twenty-Four Hour Reporting of Noncompliance.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any upset which exceeds any effluent limitations in the permit; and
- c. Violation of a maximum daily discharge limitation for any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance, listed as such by the Regional Administrator in the permit to be reported within 24 hours.

Reports should be made to telephone #415-974-8289. The Regional Administrator may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

4. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under Part I.D.3. at the time monitoring reports are submitted. The reports shall contain the information listed in Part I.D.3.

5. **Signatory Requirements.** All reports or information submitted to the Regional Administrator shall be signed and certified in accordance with 40 CFR § 122.22, as amended on September 1, 1983 (48 FR 39611).

6. **Availability of Reports.** Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator. As required by the Act,

permit applications, permits, and effluent data shall not be considered confidential.

7. **Penalties for Falsification of Reports.** The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

#### **Part II**

##### *A. Operation and Maintenance of Pollution Controls*

1. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate permittee staffing and training, adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2. **Duty to Halt or Reduce Activity.** Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost.

3. **Bypass of Treatment Facilities.** a. **Definitions.**—(1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which are reasonably expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. **Bypass not exceeding limitations.** The permittee may allow any bypass to

occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c. and d. of this section.

c. Notice. (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, he shall submit prior notice, if possible, at least 10 days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part I.D.3. (24-hour notice).

d. Prohibition of bypass. (1) Bypass is prohibited, and the Regional Administrator may take enforcement action against the permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The permittee submitted notices as required under paragraph c. of this section.

(2) The Regional Administrator may approve an anticipated bypass, after considering its adverse effects, if he determines that it will meet the three conditions listed above in paragraph d.(1) of this section.

4. Upset Conditions. a. Definition.—“Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination, made during administrative review of claims that noncompliance was caused by an upset, and before an action for noncompliance,

is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required in Part I.D.3. (24-hour notice); and

(4) The permittee complied with any remedial measures required under part II.B.4. (duty to mitigate).

d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

#### B. General Conditions

1. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action or for requiring a permittee to apply for and obtain an individual NPDES permit.

2. Duty to Comply with Toxic Effluent Standards. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

3. Penalties for Violation of Permit Conditions. The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 303, 306, 307, or 308 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.

4. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a

reasonable likelihood of adversely affecting human health or the environment.

5. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause, as provided in 40 CFR 122.7(f), 122.15, 122.16, and 122.17. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or notification of planned changes or anticipated noncompliance, does not stay any permit action.

6. Civil and Criminal Liability. Except as provided in permit conditions on “Bypasses” (Part II.A.3.) and “Upsets” (Part II.A.4.), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Coastal Zone Management Plan Consistency. Discharge from drilling vessels, production platforms or other facilities engaged in exploratory drilling or production of oil and gas is prohibited until the plan of exploration or development, for each affected parcel, is determined to be consistent with the Coastal Zone Management Plan by the Coastal Commission of the State of California and the consistency concurrence of the Coastal Commission is submitted to EPA. This provision applies only to facilities commencing operation after the date of this notice.

9. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

10. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

11. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

### Part III Other Requirements

#### A. When the Regional Administrator May Require Application for an Individual NPDES Permit

The Regional Administrator may require any person authorized by this permit to apply for and obtain an individual NPDES permit when:

- a. The discharge(s) is a significant contributor of pollution;
- b. The discharger is not in compliance with the conditions of this permit;
- c. A change has occurred in the availability of the demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
- d. Effluent limitation guidelines are promulgated for point sources covered by this permit;
- e. A Water Quality Management Plan containing requirements applicable to such point source is approved; or
- f. The point source(s) covered by this permit no longer:

- (1) Involve the same or substantially similar types of operations;
- (2) Discharge the same types of wastes;
- (3) Require the same effluent limitations or operating conditions;
- (4) Require the same or similar monitoring; and
- (5) In the opinion of the Regional Administrator are more appropriately controlled under a general permit than under individual NPDES permits.

The Regional Administrator may require any permittee authorized by this permit to apply for an individual NPDES permit only if the permittee has been notified in writing that a permit application is required.

#### B. When an Individual NPDES Permit May Be Requested

a. Any permittee authorized by this permit may request to be excluded from the coverage of this general permit by applying for an individual permit. The permittee shall submit an application together with the reasons supporting the request to the Regional Administrator.

b. When an individual NPDES permit is issued to a permittee otherwise subject to this general permit, the applicability of this permit to that owner or permittee is automatically terminated on the effective date of the individual permit.

A source excluded from coverage under this general permit solely because it already has an individual permit may request that its individual permit be revoked, and that it be covered by this general permit. Upon revocation of the individual permit, this general permit shall apply to the source.

### C. Definitions

1. "Cooling water" means once through non-contact cooling water.
2. "Daily maximum" means the average concentration of the parameter specified during any 24-hour period that reasonably represents the 24-hour period for the purposes of sampling.
3. "Deck drainage" means all waste resulting from platform washing, deck washings, and run-off from curbs, gutters, and drains including drip pans and wash areas.
4. "Desalination unit discharge" means wastewater associated with the process of creating fresh water from seawater.
5. "Domestic waste" includes discharges from galleys, sinks, showers, and laundries.
6. "No discharge of free oil" means a discharge that does not cause a film or sheen upon or a discoloration on the surface of the water or adjoining shorelines, or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.
7. "Drill cuttings" means particles generated by drilling into subsurface geological formations.
8. "Drilling muds" means any fluid sent down the well hole, including any specialty products, from the time a well is begun until final cessation of drilling in that hole.
9. "Produced waters" means waters and particulate matter associated with oil and gas producing formations. Sometimes the terms "formation water" or "brine water" are used to describe produced water.
10. "Produced sands" means sands and other solids removed from the produced waters.
11. "Sanitary waste" means human body waste discharged from toilets and urinals.
12. The term "territorial seas" means the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles.
13. "Well completion and treatment fluids" means any fluids sent down the drill hole to improve the flow of hydrocarbons into or out of geological formations which have been drilled.
14. A "discrete sample" means any individual sample collected in less than fifteen minutes.
15. For flow rate measurements, a "composite sample" means the arithmetic mean of no fewer than eight individual measurements taken at equal

intervals for twenty-four hours or for the duration of the discharge, whichever is shorter.

For oil and grease measurements, a "composite sample" means four samples taken over a twenty-four hour period analyzed separately and the four samples averaged. The daily maximum limitation for oil and grease is based on this definition of a composite sample.

For measurements other than flow rate or oil and grease, a composite sample means a combination of no fewer than eight individual samples obtained at equal time intervals for twenty-four hours or for the duration of the discharge, whichever is shorter.

16. **Mixing Zone**—the zone extending from the sea's surface to seabed and extending laterally to a distance of 100 meters in all direction from the discharge point or to the boundary of the zone of initial dilution as calculated by plume model or other method approved by the Regional Administrator.

17. **Limiting Permissible Concentration**—that concentration which outside the boundaries of a mixing zone as defined in Part III.C.16 above, will not exceed 0.01 of a concentration shown to be acutely toxic (96 hr. LC 50) to appropriate sensitive marine organisms in a bioassay carried out in accordance with Condition I.A.1.g. When there is reasonable scientific evidence on a specific waste material to justify the use of an application factor other than 0.01, the Regional Administrator may approve the use of such alternative factor in calculating the LPC.

18. **Generic Drilling Mud**. a. A drilling mud where the components and the heavy metal concentrations in the whole mud do not exceed the below maximum values:

Drilling mud components		Maximum heavy metal concentration	
Component	Pounds per barrel	Species	Concentration parts per million
Barite.....	175.0	Arsenic.....	3
Bentonite .....	32.1	Barium.....	141, <sup>1</sup>
Chrome .....	4.0	Cadmium.....	1
lignosulfonate.			
Lignite .....	5.0	Chromium (total).....	265
Polyanionic cellulose.	1.0	Copper.....	26
Salt.....	10.0	Lead.....	24
Caustic.....	1.5	Mercury.....	1
Cellex.....	0.1	Nickel.....	8
Extractable organics.	( <sup>1</sup> )	Vanadium.....	35
Drill solids.....	52.0	Zinc.....	181
Lime.....	1.5		

<sup>1</sup> 0.8 Milligram per gram.

b. Alternatively, a drilling mud for which the 96 hour LC 50 concentrations obtained via bioassay procedures defined in Part I.A.1.h of this permit, are

equal to or greater than 53,000 ppm for the suspended particulate phase and 283,000 ppm for the liquid phase, or;

c. A drilling mud which, on the basis of information provided by the permittee, including the concentrations of components of the drilling muds, any bioassay data for similar drilling muds, and the rate and quantities of drilling muds discharged, as determined by the Regional Administrator, would not constitute, when discharged, a significant threat to the marine environment.

**19. Background Seawater Concentration:**

Waste constituent	Composite sample milligram per liter
Arsenic	0.003
Cadmium	0.000
Total chromium	0.000
Copper	0.002
Lead	0.000
Mercury	0.00006
Nickel	0.00
Silver	0.00016
Zinc	0.008
Cyanide	0.000
Phenolic compounds	0.0

[FR Doc. 83-32569 Filed 12-7-83; 8:45 am]  
BILLING CODE 6560-50-M

**[PF-352, PH FRL-2468-2]**

**Pesticide Petition; American Cyanamid Company**

**Correction**

In FR Doc. 83-30540, beginning on page 51838 in the issue of Monday, November 14, 1983, make the following correction.

On page 51839, first column, tenth line of "SUPPLEMENTARY INFORMATION", "({≥})" should have read "({±})".

BILLING CODE 1505-05-M

**[OPTS 41012 TS-FRL 2462-1]**

**Chemicals To Be Reviewed by the Toxic Substances Act Interagency Testing Committee; Public Meeting and Request for Information**

**Correction**

In FR Doc. 83-29865 beginning on page 51519 in the issue of Wednesday, November 9, 1983, make the following corrections.

On page 51520, correct the listing in the second and third columns as follows:

- "CAS No. 75-63-9" should have read "75-63-8";
- "CAS No. 87-24-4" should have read "88-24-4";

3. "CAS No. 38051-01-4" should have read "38051-10-4";

4. In "CAS No. 68457-79-4, "zince" should have read "zinc".

BILLING CODE 1505-01-M

**FEDERAL COMMUNICATIONS COMMISSION**

**Public Information Collection Requirements Submitted to Office of Management and Budget for Review**

November 30, 1983.

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. These are existing information collection requirements in use without OMB numbers. No changes are proposed.

Copies of these submissions are available from Richard D. Goodfriend, Agency Clearance Officer, (202) 632-7513. Persons wishing to comment on any of these information collections should contact David Reed, Office of Management and Budget, Room 3235 NEOB, Washington, D.C. 20503, (202) 395-7231.

Part or section No.	Title
Part 31 (§§ 31.01-2(d)(1)-(3), 31.01-9, 31.02-80(a), 31.02-83, 31.1-16, 31.100:3(a), 31.100:4(1), 31.100:4(3), 31.138(c), 31.2-21(e), 31.2-26, 31.3-32(c), 31.231(b), 31.328(b) & (c), 31.327(c) & (d), 31.6-64, 31.609, 31.611, 31.614, 31.672(d)).	Uniform System of Accounts for Class A and Class B Telephone Companies.
Part 61	Tariffs.
Part 67	Separations.
Part 68 (§§ 68.106, 68.108, 68.110).	Connection of Telephone Equipment to the Telephone Network.
Section 74.433	Temporary Authorizations.
Section 74.452	Equipment Changes.
Section 74.537	Temporary Authorizations.
Section 74.551	Equipment Changes.
Section 74.603	Sound Channels.
Section 74.604	Frequency Selection to Avoid Interference.
Section 74.633	Temporary Authorizations.
Section 74.651	Equipment Changes.
Section 74.703	Interference.
Section 74.751	Modification of Transmission Systems.
Section 74.781	Station Records.
Section 74.784	Rebroadcasts.
Section 74.833	Temporary Authorizations.
Section 83.42(b)	Changes during License Term.
Section 83.48	Discontinuance of Operation.
Section 83.72	Temporary Waiver of Annual Inspection.
Section 83.115	Retention of Radio Station Logs.
Sections 83.184 and 83.340	Maintenance of Station Logs (83.184); Station Logs (83.340).
Sections 83.184 and 83.368	Maintenance of Station Logs (83.184); Radiotelephone Station Log (83.368).
Section 83.339	Station Documents.
Section 83.367	Station Documents.

Part or section No.	Title
Section 83.405	Special Provisions Applicable to Ship-Radar Stations.
Section 83.501	Card of Instructions.
Section 83.819	Station Records.
Section 90.176	Interservice Sharing of Frequencies in the 150-174 MHz Band.
Section 90.177	Protection of Certain Radio Receiving Locations.
Section 90.179	Shared Use of Radio Stations.
Section 90.215	Transmitter Measurements.
Section 90.239(d)	Interim Provisions for Operation of Automatic Vehicle Monitoring (AVM) Systems (Supplemental Showing Required).
Section 90.263	Substitution of Frequencies Below 25 MHz.
Section 90.356	Supplemental Information to be Furnished by Applicants for Facilities under this subpart.
Section 90.382	Supplemental Reports Required of Licensees Authorized under the subpart.

William J. Tricarico,  
Secretary, Federal Communications Commission.

[FR Doc. 83-32650 Filed 12-7-83; 8:45 am]

BILLING CODE 6712-01-M

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Information Collection Submitted to OMB for Review**

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

**Title of Information Collection**

Application for a Merger or Other Transaction Pursuant to Section 18(c) of the Federal Deposit Insurance Act (Phantom or Corporate Reorganization).

**Background**

In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a form SF-83, "Request for OMB Review," for the information collection system identified above.

**ADDRESS:** Written comments regarding the submission should be addressed to Judy McIntosh, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington D.C. 20503 and to John Keiper, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

**FOR FURTHER INFORMATION CONTACT:** Requests for a copy of the submission should be sent to John Keiper, Federal